

15 AN
ANSWER
Of the Right Honourable the
EARLE
OF
NEW-CASTLE
His Excellency, &c.

To the six groundlesse aspersions cast upon
him by the Lord *Fairefax*, in his late Warrant
(here inserted) bearing Date *Feb. 2. 1642.*

By the EARLE Himselfe.

The Protestation of the afflicted Ministers, Printed 1605.

Pag. 4.

*Though the King command any thing contrary to the Word, yet we
ought not to resist, but peaceably to forbear obedience, and sue for
grace, and when that cannot be obtained, meekly submit our selves
to punishment.*

And Pag. 18.

*It is utterly unlawfull for any Christian Churches by Armed Power
against the will of the Civill Magistrate to set up in Publique the
true worship of God, or suppress any Superstition or Idolatry.*

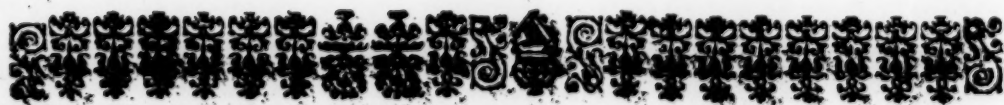
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OF F. L. GAY
JUNE 1, 1918



IT is my Will and Pleasure, That this Answer, together with the Lord Fairefax his Warrant, be published in all Churches and Chappels within this City and County of Yorke..

W. NEW-CASTLE.





A N
ANSWER OF THE RIGHT
Honourable the *Earle of Newcastle*,
his Excellency, &c.

IT is no new thing (though it was never so frequent as now) for Incendiaries to accuse Innocents as disturbers of the Publike tranquillity of the Countrey. So ugly is the Face of Rebellion when it comes unmasked, without some Cloake or Vizard over it, that even seditious persons cannot fancy it in themselves. The charge which the Lord *Fairefax* gives against me, in this Declaration, is like that of a Roman against his fellow Citizen, That *he did not receive his whole weapon into his body*. He was angry that his neighbour should defend himselfe, and my Lord, that I should protect His Majesties good Subjects from his violence. And though a generall accusation might justly be sleighted as a slander, to which by the Laws of this land no man is bound to answer, to which it is impossible for any man to make a direct answer (since it is not invested with the due circumstances of time and place and persons) neither is the Lord *Fairefax* able to bring one particular instance to make good his generall calumniation; yet since it proceeds from a person of his eminency, I have thought fit, as well for the vindication of mine own honour, as for confirmation of the minds of His Majesties well affected Subjects in their loyalty to repell his slanders in the Presse, as I doubt not by Gods

assistance to do his Forces in the field. Yet give me leave to wonder who they are that have such an influence upon his Lordships understanding, as to draw him in six lines to Publish to the world six groundlesse aspersions, against a person that hath not deserved ill of him, without the least provocation.

The first is, That *contrary to the Laws of the Land I have raised a great Army*. I might answer, That the Laws are indeed an excellent standard and measure of Justice so long as they are common to all parties, but when they become like spiders webs to intangle some, and let thorow others, when some men must observe Law, & others will be free from all Law, it is the greatest partiality and the falsest measure in the world. And as our Saviour said to the Pharisees, If I by Beelzebub cast out Devils, by whom do your Children cast them out? They shall be your Judges. So say I, If I be a Delinquent against the Laws, for raising defensive Arms by vertue of His Majesties Commission (with whom alone the power of the *Militia* is intrusted both by God and Man) what is the Lord *Fairefax* and his parteners for raising offensive rebellious Arms against their fellow Subjects, without, nay, against His Majesties authority. But he hath appealed to the Laws, to the Laws let him go? Let him shew but any one particle of known Law, Statute or Common, which I have violated, and I shall lay down Arms as cheerfully as I tooke them up. But if this be impossible (as without doubt it is) then cease at length to tell us of Laws in the clouds, or of Laws written in the *Sybilles* bookes, which no men ever read or heard of but your selves. All true English men will disdain to exchange their inheritance, the ancient Laws of this Land (under which they and their progenitors have already injoyed such happy and Halcionian dayes, and hope still for better from His Majesties greater experience, and late Acts of Grace) either for a Company of far-fetcht dear-bought principles, drawn without Art or Judgement, by factious unskilfull persons, out
of

of the Law of Nature or of Nations, as a Lesbian rule to serve their ambitious ends : Or for Arbitrary Government, which knows no bounds, or limits but the will of head-strong discontented persons. With what face can these men name the Laws of the Land ? when one of them hath lately told the world in print, that they are but *the inventions of men* : Yea, *morall precepts, fitter for Heathens then Christians*. In a word, I raise Arms by the Law, and for the Law, to protect the Laws and Religion established ; you to subvert them both : I raise Arms under His Majestie, for His Majestie ; you without him, against him, by vertue of your own warrants : If it be not so, shew us but one Text, one Statute, nay, but one poore Case or President for your Justification. And that you may see I am in earnest, I desire God to vouchsafe his blessing and assistance to that party which stands truly and cordially for the defence of the known Laws of this Realm, and to deny it to all others.

The second charge is, That *mine Army consists of Papists and other Malignants*. That I have in mine Army some of the Romish Communion I do not deny ; yet but an handfull in comparison of the whole Body of it, I beleeve not above one of fifty, and I wish their Consciences as well satisfied as mine own of the Truth of our Profession. These I admitted for their Loyalty and Abilities, not for their Religion, as was most lawfull for me to do ; a course warranted by the examples both of God and Man, and chalked out to me by themselves : yea, it was a note higher in them, in a Warre pretended against Papists, to make use of Papists in places of great trust and command, nay, do they not still admit all sorts of Sectaries, Brownists, Anabaptists, Familists, &c. I have demonstrated the equity of this course to the World, which they know not how to answer ; the fidelity of the one shall rise up in judgement against the Rebellion of the other, and condemn it ; Certainly in this particular service they shew themselves better friends to the Protestant

Religion, then the others. But they are not satisfied to robbe me of them, unlesse they may sweep away all the rest under the stale and empty name of Malignants; I doe not much blame them, their intended worke would be more easily atchieved. But let us inquire who in their Dialect are these Malignants; Are they who do not willingly part with their Religion, Laws, Liberties, Lively hoods, left them by their Fathers upon Arbitrary Votes? So a Theefe may terme a True-man a Malignant, because he doth refuse to deliver his Purse upon demand; So the Wolves in their Treaty of Accommodation with the Sheep, desired the Dogs to be delivered up to them as Malignants. Those have hitherto been esteemed Malignant humours in the Body Naturall, which being stubborn, Rebellious, Venemous, are with difficulty reduced to their right temper, either by strength of Nature, or skill in Physick, not those which are not easily infected or distempered. This is new Learning, and requires a new Dictionary to warrant it. Before they conclude them Malignant, they should doe well to prove them to be *Peccant* against any authentick rule: The Apostle saith, *Where there is no Law there is no transgression*; To accuse boldly is not sufficient to convince. If a common Adversary did not keep them in a kind of *Herodian* Vnity for a time, your Brownists would soon condemn your ordinary disciplinarians for Malignants, and your Anabaptists againe your Brownists, &c.

Thirdly, you charge me *to have Invaded this County of York*. An insolent and presumptuous Challenge. Can the Kings Forces be said to make an Invasion in His own Dominions? The second blow may be said to make the fray, but it is the first that makes the Invasion. Say in good earnest, did not your Forces first make Inrodes into the Bishoprick of *Durham* under my charge, where they had no pretence of imployment? Did they not Rob and Plunder sundry of His Majesties Liege People at
Dornton,

Dornton, in such cruell manner, that the prime Officer of the Town died of griefe within three or foure Dayes? Did they not give an assault upon *Pierſ-bridge* to their loſſe? And when I come to chaſtiſe theſe Intruders, can it be called an Invaſion? Neither did I then ſet foot into this County, but upon the earneſt Sollicitation and Intreaty of the Prime Nobility and Gentry of *Warkeſſhire*, to ſecure them from your violence and oppreſſion. If Protection be Invaſion, then this is Invaſion. I could nourish little hopes that theſe reſtleſſe Spirits, who could not be bounded within their own calling, would be contained within the limits of a County: Or that they would ſpare me any longer then untill they had fully ſubdued their Neighbours and fellow-Subjects at home. Neither could I have been ever able to have given an Accompt to His ſacred Maieſtie for ſuch an unpardonable omiſſion, if being armed by His Goodneſſe with ſufficient power to repreſſe ſuch tumultuous diſorders, I ſhould ſee before mine eyes His Loving and Loyall Subjects trampled upon by His and their Enemies, in His Cauſe, and for His ſake; and whileſt they ſeek to me for ſuccour, I ſhould be wanting in my Duty to my dread Sovereign, and my neceſſary aſſiſtance to them. All this while the *Lincolnſhire* Forces are quite forgotten, they were Brethren, no Invaders.

The fourth charge ariſeth yet higher, *For killing and deſtroying ſome numbers of the Religious Proteſtant Subjects*. Where did ever my Forces kill one man who did not take up Arms againſt us, or was not ready to have killed us firſt if he could? The weight of guiltleſſe blood is more heavy then a Mountain; The ſtaine thereof not to be waſhed out with all the water in the Ocean, but onely by the tears of Repentance, and the blood of Chriſt. This weight and guilt of blood ſhall lye heavy upon the heads of thoſe men and of their ſeed after them, who have been the authors and fomentors of theſe horrid diſtractions, when *Peace ſhall be upon the head of our Sovereign, and his ſeed, and his throne.*

*throne for ever. They that take the Sword (without a lawfull calling) shall perish by the Sword, And He that sheddeth Mans blood (without a Commission from the King of Heaven, who onely hath originall Power over the lives of his creatures, and no multitude of men in the world collective or representative whatsoever) by Man shall his blood be shed. The Supreme Magistrate is Gods Vicegerent, And Beareth not the Sword in vaine ; but those who presume to use the Sword and can derive no Power from him, it were meet for them to make their Accounts betimes with God, lest they dye in the state of Murtherers both of themselves and others, both of soule and body. It is an easie thing for an Orator to cast a mist before the eyes of Vulgar People, and make them a plausible Discourse of the Cause of God, the true Religion, of suppressing Superstition and Idolatry, and setting up the Right worship of the Lord. They had hard hearts if they could not afford themselves a good word. But admitting, not granting, all this to be true (which is most false) will this plea yet serve before the Judge of Heaven and Earth ? Nothing lesse. These very Men and their Predecessors have taught the contrary, have protested the contrary, have printed the contrary, *Ante mota certamina*, before these unhappy differences began, whilst mens eyes were not fascinated with faction and prejudice. Then themselves condemned this very Doctrine which now they practice as *Antichristian and Anabaptisticall*, and their present practice which they now defend, as *seditious and sinfull*; this would be truly laid to heart: And withall, that if the Lord *Fairefax* and his friends had been men of their words, or performed that agreement to which Honour and Justice did oblige them, all the blood which hath been spilled, or shall be shed hereafter in this Cause, had been saved, And upon their score it will be cast in the end, both by God and Man. It would be known who they are whom emphatically (if not exclusively) he calls Protestants. Are they the Successors in Doctrine of those*

those first Reformers in Germany, whom from a *Protestation* made, they named *Protestants*? No, what these old Protestants allowed and practised as lawfull and necessary, these new Protestants condemn as superstitious and Antichristian. This is beyond the power of Omnipotency to make both parts of a contradiction to be true, Protestants whilst they continue the same to be no Protestants, and no Protestants to be Protestants. If they do cordially love the thing as they do hugge the name, why do we not all shake hands and become Friends?

And so from murdering their bodies he proceeds to steruing their soules, that is, by *Banishing and imprisoning the Zealous Ministers*. This is my fifth charge. I envy no mans zeale, but wish them Discretion proportionable to their Devotion. To satisfie their charge home, first, *de jure*, what may be done. It hath ever been accounted lawfull to binde a phrenetick mans hands. Shall it be lawfull for these seditious Orators to bring railing accusations into the Pulpits daily against the Lords annointed, such as *Michaell* the Archangell durst not bring against the Devill, and yet be free from question? May they prostitute the Ordinance of God to the rebellious designs of ambitious men, yet be free from question? Could these Embassadours of Peace keep themselves to that Theame, which was bequeathed to them by the Prince of Peace, they might long enjoy their Benefices and Liberties; yea, with some connivence to a truly tender Conscience. But when a Man may frequent their Sermons a whole yeare, and heare nothing but incentives to War, shedding the Blood of the ungodly, and adjoyning with others to make a great Sacrifice to the Lord, may not a man justly say to them, as Queen *Elizabeth* sometimes to an Embassadour, *Hei mihi! vocem Pacis expectavi, Cur Belli clamorem audio?* Are not these the same Men who teach in their own case, That he deserves more rigorous punishment who shall infect the Soules of Men with poysoned Doctrine, then he that shall destroy their bodies with

poysen? Are not these the Men, who upon the same grounds have silenced or imprisoned, or, to use their own Phrase, banished from their Churches so many of our Reverend, Learned, and Worthy Divines throughout the whole Kingdome, to subintroduce Heterodox and contentious persons in their Rooms? And may no Man say to their Minions, not worthy to sit at the Feet of the other, *Domine, cur ita facis*? Sir, why do you so? Or shall we once againe bring in an exemption of Church-men privately at the backdoore, which we have publicly thrust out at the foredoore? Thus you see it might be done, even upon your own grounds in point of right.

Now for the matter of fact, it is as much mistaken as the right, I have recollected my selfe, I have inquired of my Secretary, yet can I not find one Minister by me either banished or imprisoned. If any Minister either before my comming or since, being apprehensive of his own demerits, or out of a guilty Conscience, without other compulsion, did forsake his Church, and leave it as the Ostridge doth her eggs in the sand, without care or provision, you cannot call this Banishment. Or if any of your Ministers have assumed a plurality of professions, and added the Sword to the Word, if my Officers should mee with him in such a garbe, might they not inquire, *an hoc tunica Filii tui sit*, and take him in his second capacity? Or lastly, if the Justices of this County, who live upon the place, and do best know seditious persons, and the just feares and dangers of the County, have thought fit to restrain any man from doing hurt, was I bound to give a protection or a supersedes? when you instance in particular persons, you shall receive particular satisfaction.

And so from the Body and Soule he descends to the Estate, the last steppe of his accusation, in these words, *And hath besides done infinite spoile and wast upon the good Subjects, plundering and taking away their Goods and Cattell, in so much as in*
many

many places there are neither Men nor Castell left to Till the Ground. Lord how these men are touched to the quick, when any man but themselves dare offer to plunder! As if they desired not onely the free Trade, but even the Monopoly of Plundering to themselves. I know no such places in this County as he mentions; if there be any such, without doubt they must needs know the desolation which themselves have made. But doe they thinke with such clamours and outcries to deaf the eares of men, and drown the ejaculations of poore people, whom they have harrowed? They have spared no Age, neither the venerable Old Man, nor the innocent Childe; No orders of Men, the long Robe as well as the short hath felt their fury; No Sex, not Women, no not women in Childbed, whom common humanity should protect; No condition, neither Fathers nor Friends. They have spared no places, The Churches of Christians which the Heathens durst not violate, are by them prophaned: Their Ornaments have been made either the supply of their necessities, or the subject of their scurrilities, their Chalice, or Communion Cups (let them call them what they will so they would hold their fingers from them) have become the objects of their Sacrilege, the Badges and Monuments of ancient Gentry in Windowes, and Pedegrees have been by them defaced; Old evidences, the Records of private Families, the Pledges of Possessions, the boundaries of Mens Properties, have bene by them burned, torn in pieces, and the Scales trampled under their Feet. Seelings and Wanscott have been broken in peeces, Walls demolished, a thing which a brave Roman spirit would scorn (to tyrannize over Walls and Houses.) And all this by a company of Men crept now at last out of the bottome of *Pandora's Box*. The poore Indians found out by experience that Gold was the Spaniards God, and the Countrey finds, to their losse,

what is the Reformation which these men seeke. At this very time, I am informed they are executing the illegall Order for the Twentieth part of every Mans Estate in *Craven*. This would be a sufficient answer for them, but not a sufficient plea for me.

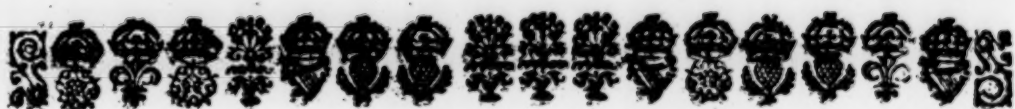
Therefore in the second place I adde, that my case is cleare different from theirs : there may be Treason against the King, there can be none against them : There may be Forfeitures of Estates to the King, none to them : The King may raise Arms and leavy a just Warre, whatsoever they do in that kinde is void by the Law of Nations ; whatsoever they shall acquire in such a Course is not by Right, but a meere Nullity. No tract of time can weare away the unlawfulnessse of the first acquisition, but after an hundred yeares possession, they are still *male fidei possessores*, possesse it with a bad Conscience, and are bound to make restitution.

Lastly, for matter of fact, when I came first into this County I made a publike Declaration against plundering in Print, which I have since endeavoured to observe. Yet that some men of their party have suffered in their estates I do readily grant, that is, either such as have absented themselves, or have refused to pay those proportions of money which were imposed upon them by the County. But whatsoever hath been done in that kinde hath been done by the Gentrey or the Committees by them named, with as much moderation as the present exigence of affaires would permit, wherein I have rather acted the part of their Minister, to execute what they resolved, then looked upon that great trust which His Majestie hath imposed upon me. So I have done with the charge.

The Lord *Fairefax* requires all Parties to appeare, and I Command them all, upon their Allegiance, to stay at home. They may perhaps come thither without danger, but the difficulty will be to get safe back againe, *sed revocare gradum, hic Labor*

Labor hoc Opus est, and afterwards to avoyd certaine punishment for these tumultuous and Rebellious meetings. It were a more conscionable and discret part of them, to repaire all as one unanimous body to their Sovereign's Standard, and drive out these Incendiaries from among them, who have been the true authors of all the pressing grievances and miseries of this *County*.

Withall, his Lordship talkes of driving me and mine Army out of the *County*; he knows this cannot be done without a meeting. If it be not a flourish, but a true spark of undissembled Gallantry, he may do well to expresse himselfe more particularly for time and place. This is more conformable to the Examples of our Heroicke Ancestors, who used not to spend their time in scratching one another out of holes, but in pitched Fields determined their doubts. This would quickly set a Period to the sufferings of the People, unlesse he desire rather to prolong those miserable distractions, which were begun with breach of Promise. It were pittie if his desires lead him this way, but he should be satisfied: And let the God of Battels determine the right of our English Laws and Liberties.



Ferdinando Lord Fairefax, Generall of all
the Northern Forces raised and to be raised for
the Service of King and Parliament.

To all and singular the Majors, Bayliffes, Aldermen, and
other Magistrates, and to the Ministers of the Churches
within the *West-Riding* of the County of *York*, and to every of
them.

FOrasmuch as the *Earl of Newcastle*, con-
trary to the Laws of the Land, hath raised
a great Army of Papists, and other Malign-
nants, and with them Invaded this County of
York, Killing and Destroying some numbers
of the Religious Protestant Subjects, Banish-
ing and Imprisoning the Zealous Ministers,
and hath besides done infinite spoyle and waste
upon the good Subjects, Plundering, and taking
away their Goods and Cattell; insomuch as in
many places there are neither Men nor Cattell
left

left to till the ground. These are therefore to
 desire and Command you respectively to cause to
 be Published and Proclaimed in all the
 Churches and Markets of this County, that all
 Men of able Bodies and well affected to the
 Protestant Religion, are required with the
 best Weapons and furniture for the War that
 they have, to assemble, come in, and assist me
 and the Army under my command, in expelling
 and driving away out of this County the said
 Army of Papists, and common Enemies of the
 peace; each Man bringing with him necessary
 Victuall for foure Dayes, onely the said Forces
 thus to be raised, to draw down to the severall
 places of Rendezvous hereafter named, that
 is, The West-Riding Men to Sherbourn and
 Abberford; The North-Riding Men to
 Tollerton and Awne; And the East-Riding
 Men to Stamford-Bridge, all of them to be
 there on Munday night next, And so to
 March forward as they shall be ordered by
 Command that shall meet them at the places
 aforesaid.

(14)
*aforesaid. And for so doing, this shall be your
Warrant.*

Given under my Hand and Seale the second
Day of February, Anno Domini, 1642.

FER. FAIRFAX.

*To John Taylor, one of the
High Constables of Skiracke,
to procure this to be Published
within your division.*

FINIS.
